

# Review of the Governor's Message.

## S P E E C H

OF

### HON. THAD. W. COLLINS,

OF

#### WAYNE COUNTY,

In the House of Assembly, March, 1863.

#### MR. CHAIRMAN:

It is with diffidence, Sir, that I attempt any part in this discussion. Not only the magnitude of the questions before us, but the very able manner in which they have been treated by the gentlemen who have preceded me reminds me of the difficulty of adding anything to the interest of this debate, yet trusting that my views will not be found altogether unimportant, I desire the indulgence of this committee for a few minutes.

It has been well remarked that at a time like the present, when our national existence depends upon the union of the whole people, nothing should be said calculated to arouse partisan strife or partisan prejudice, or to disturb the confidence of any party whatever in the policy of an unreserved and united support of the government.

In my judgment the danger of the present hour lies in that direction. We have far more to fear the divisions of the North than the rebellion of the South, for with the North united this rebellion can never reach the national life, but if divided here no earthly power can save us from destruction.

Hence, Sir, if, by the remarks I have to offer, I can persuade any to a truer and more earnest support of the Government; if I can succeed in abating aught of partisan bitterness or prejudice against it, I shall have rendered a more essential service than to have vindicated its policy from blame, or its measures from criticism. The question of the hour is, *shall this Government be preserved*, not are its agents infallible.

If under ordinary circumstances the Governor of this State had thought proper to criticise the National Administration, and to record his dissent from its policy or measures, or, if you please, to travel a little outside the legitimate province of a message, and say a few things for the purpose of enhancing the interests of his party, or his own future prospects, it might have been held substantially within the customary rules of political warfare, and as affording no just reason for complaint, but that he should have deemed it his duty at this time of our national peril to indulge in criticisms and faultfindings calculated to divide the people of the North, and by thus doing weaken the Government, and give hope to the rebellion is a matter of profound sorrow and regret. It is not as a Republican desirous of sustaining and perpetuating the Republican party that I have a right to complain of this message in this particular, or do complain, but as an American citizen, a lover of my country, I most solemnly protest against anything and everything tending to divide the councils of the North, for in such division I behold the ruin of my country.

Time, Sir, will not permit an examination in detail of the numerous questions raised by this message. All I propose is to call attention briefly to some of those I deem of greatest importance; and here allow me to remark that I shall confine myself chiefly to stating the views and opinions I entertain without attempting to present at length all the arguments by which I reach my conclusions.

The first thing I shall notice is the charge

made by his Excellency and reiterated by his defenders on this floor, that the people of the northern states, and especially the people of New England, are responsible for this war. The Governor does not make this charge in the direct terms I have stated it, as his friends have done. Yet his meaning is just as clear, and the charge just as pointed, as though expressed in more direct language. I am not aware that his supporters differ from me in the construction I have given.

We are told by gentlemen on the other side that if we would treat this rebellion successfully we must study its causes—examine the principles which underlie its outward manifestations, and in that way arrive at the proper remedy. I agree with this view of the subject entirely.

Now, Sir, if the blame of this war is with us, let the responsibility fall where it belongs. I am perfectly willing—yea, demand—that for whatever wrong the northern people have done their southern brethren, they should restore them fourfold, and if it be desired, I would yield the old Scriptural recompense of an eye for an eye, and a tooth for a tooth. If I know myself, I am the last man who desires to treat the South unfairly, or to screen the northern people from the consequences of whatever guilt they have justly incurred. “Let justice be done, though the heavens fall.”

Whether slavery has been the *cause*, or, as the Governor argues, the *subject*, of this war, is a distinction of very little practical importance. You have only to answer the single question, whether without slavery there would have been any rebellion, and you have ascertained a sufficient *cause* as well as a *subject* of this controversy. It is probable, however, that his Excellency had in mind the distinction between an innocent cause and a guilty one, and intended to assert that slavery being innocent and not at all to blame, was merely the *subject* about which the controversy originated, whilst a wicked and uncalled for agitation, or, as he expresses it, “a pervading disregard of the obligations of laws and constitutions,” was the *cause* of the war.

The gentleman from New York (Mr. HUTCHINGS) informed us that as long ago as 1790 abolition petitions were introduced into Congress; that from that time to this the people of the North have continually violated their constitutional obligations to the South by agitating the slavery question, and, as a consequence, the Nation has been precipitated into this most horrid and gigantic war. I freely admit that the subject of slavery has been a source of agitation at the North, and especially in New England. The doctrine has been advocated that slavery was essentially wrong; that it was a great social, moral and political evil, which ought not to be tolerated; that it was a relic of barbarism, unworthy of the age; a violation of natural justice and the rights of human nature, a stain upon our national character, justly exposing us to the contempt of the christianized world. These things, with more of the same kind, have been preached from the pulpit, proclaimed from the

rostrum, and occasionally echoed in the halls of Congress; but how any or all of this amounted to a violation of constitutional obligations I am unable to perceive. There is a clause which guarantees the right of free speech, but beyond that I am aware of no provision that affects the right of a citizen to utter his political or moral convictions.

It is alleged, however, that the agitation of this subject has irritated the people of the South and created prejudice between the different sections of the Union.

Now, Sir, I agree that the prejudice of which the Governor speaks has in a great measure been the result of the agitation of slavery and the opinions of the Northern people concerning it; but I deny that the people of the North deserve blame for the part they have taken in it.

The right of expressing opinions is universally enjoyed under all free governments, and lest at some time this right might be abridged, our fathers put it into the Constitution, thus preserving it co-extensive with the Government itself. One of the grave charges alleged on this floor, as well as in the message, is that the Government has been guilty of violating this provision.

It is also urged that no right exists of speaking against the domestic institutions of the States.

I concede that we had no liberty to *touch* slavery in the States where it already existed. That was a matter left exclusively to the states themselves.

The right, however, of *speaking* against wrong wherever found is unlimited. It could as well be said that we have no business to speak against polygamy, since it would be an interference with the domestic institutions of Turkey, as that we cannot speak against slavery for the reason that it would be an interference with the domestic institutions of South Carolina.

The same principle that would thus shield slavery in Virginia would protect polygamy in Utah or idolatry in Japan.

If we may condemn the institutions of these states with whom we have no direct connection, how much more the institutions of those for whose imperfections the opinions of the world hold us in a measure responsible?

It may be said, however, that slavery is just—ordained of God—a blessing to the race, and for that reason we ought not to speak against it.

Sir, I admit the soundness of this logic. If slavery is essentially right—an institution ordained of God and a blessing to the race, we ought not to condemn it; and so far as the people of the North have caused this rebellion by denouncing slavery, they should be held responsible for it. If, on the other hand, it is a violation of natural justice, or as John Wesley was wont to call it, “the sum of all villainies,” it was not only right but duty to speak against and condemn it. In that event the consequences rest with those who practice the wrong, and not with those who protested against it. This whole question of blame therefore is reduced to this simple proposition—is *slavery right*? If it

be *right*, I acknowledge the Northern people deserve censure. If it be *wrong*, then the South must bear the responsibility. This is no new doctrine. Charles O'Conor, a Democrat, distinguished not only for his eminent legal attainments, but also for his acute and logical discrimination, in a speech delivered by him at the Academy of Music, December 19, 1859, announced this same doctrine. He said :

" But, gentlemen, the question is this : do these maxims justify the assertions of those who seek to invade the rights of the South by proclaiming negro slavery unjust ? That is the point to which this great argument, involving the fate of our Union, must now come. Is negro slavery unjust ? If it be unjust it violates the law of God, which says, ' love thy neighbor as thyself,' for that requires that we should perpetrate no injustice.

" But I insist, and that is the argument we must meet, and on which we must come to a conclusion that shall govern our action in the future selection of representatives in the Congress of the United States. I insist that negro slavery is *not* unjust. It is not *unjust*; it is *just*, *wise* and *beneficent*."

In a letter written by the same gentleman a short time afterwards he repeats the same sentiment, and further declares that if slavery is unjust its most violent opposers in the North are justifiable. He says :

" The friends of truth, the patriotic Americans, who would sustain their country's interests against all assailants, err greatly when they contend with these men on any point but one. Their general principles cannot be refuted, their logic is irresistible. They assert that negro slavery is *unjust*. This, and *this alone* of all they say, is capable of being fairly argued against."

I cite these passages to show upon high Democratic authority that the question whether the people of these Northern States are open to these charges preferred against them in this message depends entirely upon the moral character of slavery.

Now, Sir, it is not my purpose at this time to enter into the discussion of the justice or the injustice of slavery; so far as it pertains to the present discussion I shall assume it to be *wrong*, and place my vindication of the Northern people upon that assumption. I do this for the reason that as yet no serious argument has been attempted to show the justice of slavery. Allow me to say, however, lest I be misunderstood, that I am no negro-worshipper, and never was; I am utterly opposed to involving the white race in misery for the sake of the black. I base my aversion to slavery chiefly upon the evil effects it produces upon the dominant race. Slavery then being admitted to be *unjust, essentially wrong*, it follows that you can no more prevent its agitation than you can stay the onward march of Christianity. This agitation has its origin in the moral constitution of the human mind. It inheres in the very nature of things, and can only be avoided by changing an immutable law. Conscience, one of the propelling

powers of man's nature, is innately opposed to evil, and whenever it perceives a wrong it impels its possessor to labor for its removal. This antagonism between man's moral nature and what he perceives to be wrong is just as fixed and inevitable as the hostility between an alkali and an acid. You can no more prevent an agitation when they are brought in contact than you can suspend the law of gravitation.

I assert, therefore, not as a *theory*, but as a *fact*, that there is ever an "irrepressible conflict" between right and wrong—between the consciences of men and the institution of slavery, and that so long as this institution remains thus odious to the consciences of men this conflict must necessarily and *inevitably* be carried on.

This, Sir, is the key to the whole difficulty between the North and the South. The consciences of the Northern people abhorred slavery, and *they could not keep silence against it*.

It has been this Northern conscience which has so much disturbed the tranquillity of the South. It was not enough that the legal rights of the slaveholders were respected, that the compromises of the Constitution were observed, that the fugitive slave law was enforced. All these things did the North as a people most scrupulously do. What the South desired was that the Northern people should believe in slavery and acknowledge its rightfulness. Nothing short of this could in any wise appease them. They could not endure the withering idea of being styled wrongdoers. It wounded their pride—their perverted sense of honor—their self-conceit, and thus engendered in their minds a most intense, malignant and bitter prejudice.

This, Mr. Chairman, in my judgment, has been the head and front of our offending. We have stubbornly insisted that slavery was *wrong*, and it is for this that we are arraigned as the joint authors of this war, and New England, the land of churches and of school-houses, where this dislike of slavery is most universal, is that "extreme section" which is chiefly responsible for this rebellion.

This *prejudice*, therefore, was only a *secondary* cause of this war, and of this class it was not the chief nor the only cause.

There had become instilled into the minds of the slaveholders a mortal fear that their cherished institution was destined ultimately to be overthrown. The *instincts* of slavery *feit*, what the reason of the slaveholders was much more slow to comprehend, that the conscience of the world, and especially of the North, was its most *implacable* and deadly enemy. Years before Mr. Seward announced the doctrines of "higher law" and "irrepressible conflict" the South had been acting upon them. Her statesmen had long felt, and then at length comprehended that there were principles and ideas underlying their social system which were slowly, silently, yet surely undermining it; that there was a canker somewhere gnawing at the very vitals of slavery, which, unless remedied, would end in its complete destruction.

It was the mighty genius of Mr. Calhoun, the most metaphysical statesman of his age, that first evolved these underlying principles and ideas to the surface, and taught the Southern people that slavery could not forever withstand the conscience of the world. He further pointed out to them that there was "an irrepressible conflict" between the ideas that slavery was wrong, and that it could or ought forever to remain—that there was a "higher law" of justice that must ultimately prevail; or, to use the language of O'Conor, that "natural justice has the divine sanction, and it is impossible that any human law which conflicts with it should long endure."

Upon these ideas Mr. Calhoun became the founder of a new political school, whose alphabet was "the divinity of slavery." With characteristic energy and ability he set himself to perform no less a task than to change the moral belief of the world into conformity with his system. If the consciences of the people of this country could be educated into harmony with the institutions of the South they would then be perfectly secure, and no earthly power could ever disturb the sure foundation upon which they would then be laid. This was fine in theory, but, alas! it failed in practice.

The stubborn conscience of Puritan New England could not be changed, and of course the "irrepressible conflict" still remained. The trouble with Calhoun's theory was it would not work, and for the simple reason that it sought to change one of the immutable laws of God's moral universe into harmony with the institutions of South Carolina, instead of bringing her institutions into harmony with the immutable law.

It was the fertile brain of Calhoun also that originated the technical doctrine of State Sovereignty, which is nothing more or less than the shell of the doctrine of secession. He was a profound thinker and a comprehensive manager. His heart was fully set upon protecting and perpetuating slavery, and like every good lawyer, he availed himself of all the points in his case. If he failed in establishing the Divinity of his Goddess some other plan would become necessary, and to provide for such a contingency he invented the heresy of secession.

He clearly foresaw that unless the sentiments of the people could be changed, the time would come when slavery could be extended no farther. His lively imagination pictured in that event a vast continent peopled by an hundred or more millions of inhabitants, reposing majestically under the flag of the Union. He saw slavery covering only a small comparative portion of this vast area, and enjoying a still smaller ratio of political power, and it occurred to him how very easy would be its overthrow. The divine institution must never be exposed to such a peril as he foresaw might thus await it, and to avoid this it might become necessary for the slaveholding states to become an independent nation by themselves. To prepare for such independence, should it become desirable, he taught the doc-

trine of the supreme sovereignty of the states. Ever since the days of Nullification, and even before, the slaveholders have been acting upon both of Calhoun's theories, striving desperately to perpetuate the power and stability of their institution in the Union, and at the same time preparing for secession in case of failure. It was to secure the former of these objects that they primarily sought the alliance of the Democratic party; but they soon came to use the power and influence of that party to advance the latter. They used that party just so long as it had the power to further their own designs, and cast it off the moment the sceptre had departed from it. Failing to get a further lease upon the Government at the last Presidential election, and judging that the auspicious time had come for carrying out the Calhoun idea of secession, they turned their backs upon the non-slaveholding states, Democratic party and all, and declared themselves absolved from all allegiance to the General Government. We now hear Democrats bewailing the ingratitude of the South to the Democratic party. We have been told here on this floor that it was "ungenerous" for the South thus to desert her Democratic brethren, who had always faithfully stood by her, and who, as the gentleman from New York told us, had fought her battles for more than forty years.

I hope, however, gentlemen will pause a moment and reflect before making further charges of ingratitude, whether, after all, they are not themselves to blame in this matter. Have they at all times maintained the peculiar institution to be *right*? Have they never even intimated that it was *wrong*? Have they given the South every assurance as a party that they believed it divine and wisely ordained for the happiness of the race? In a word, have they in any manner failed in showing to their Southern brethren that their hearts were in sympathy with it? If so, are they not in a measure responsible for this local prejudice? What the South craved was a sincere recognition that slavery was *right*. She cared vastly more for what was *thought* of her than for what was *said* concerning her. She had sense enough to know that the moral sentiments of a people are those that ultimately prevail, and that the *belief* of mankind always in the end manifests itself in action. What confidence therefore could be placed in the friendship of those Democrats who believed slavery to be *wrong*? Although they might act with her politically, was not the whole weight of their moral influence against her? Did not the belief of such men help swell that ponderous tide of public sentiment that was threatening to overwhelm her? And what assurance could be given that their consciences would not ere long compel them to take sides with her political opponents?

I assert, therefore, Mr. Chairman, that if the people of the North are responsible for this local prejudice, the Democrats themselves are not free from blame, and they ought not to reproach the South for turning her back upon friends who were honoring her with their lips whilst their hearts were far from her.

I think I have now shown, Mr. Chairman, that the agitation of slavery, this local prejudice and the doctrine of secession are at most but secondary causes—that the great primary cause underlying all these, and upon which the whole superstructure of this great rebellion is reared, is the *wickedness of slavery*.

If slavery had been right, and not opposed to the consciences of the people, there would have been no rebellion. In that event it would have raised no agitation in the North, created no prejudice or alarm at the South. No unholy or inordinate ambition would have fired the minds of Southern leaders, and even if there had been such ambition, there would have been no fulcrum of popular prejudice in the minds of their people by which they could have moved them to rebellion. Had slavery been *right* this entire country, from Maine to Texas, from the Atlantic to the Pacific, would have been now enjoying the blessings of peace and reposing harmoniously and securely under the flag of our Union.

But, Mr. Chairman, the Governor tells us this war should have been averted.

Now, Sir, I agree that it should have been averted, and I believe it might have been, but not perhaps in the manner indicated by his Excellency. To be sure he does not directly tell us how this might have been done, yet we have so often heard the mode from Democratic orators and Democratic newspapers, that it is fair to infer that he would have us understand that the Lincoln Administration should have made some compromise that would have satisfied the seceded states.

It is not impossible, Sir, it is probable that this war might have been arrested by some measure of this character. Had Mr. Lincoln abdicated in favor of Jefferson Davis, and the South been permitted to have full control, they might have consented to remain; but even if this was done, they demanded that the Constitution should be amended in such manner as to guarantee their continued control of the Government. It is idle to talk that the South would have accepted the Crittenden Amendment under Mr. Lincoln as President. The Southern leaders had for years been determined that if the time ever came when they were compelled to surrender the control of the Government, they would secede and form a new confederacy, and had prepared themselves accordingly. The event had at length occurred upon which they were to go out of the Union, and nothing could have induced them to remain which did not reinstate them in full supremacy in the Government.

But I said, Mr. Chairman, that I agreed that this war should have been averted. My theory as to how it might have been averted is this: The slave power should never have been permitted to get control of the General Government. The danger of actual war dates from that period. The moment slavery obtained political power it began to pervert it to answer its own selfish purposes. It immediately set about strengthening and fortifying itself in every manner possible, and in a corresponding degree to weaken the

Government. Having command of the army, it disposed it in remote and inaccessible portions of the country; controlling also the navy, it scattered it upon unimportant missions in distant portions of the globe. It depleted the arsenals of the North and filled those of the South. It strengthened Southern forts and weakened Northern ones. It stole arms, plundered the treasury, and bribed and debauched the subordinate officers of the Government. In short, it did all within the power of a treacherous cabinet, presided over by a weak if not a treacherous President to weaken the Government and make way for this rebellion.

I claim, Sir, that if these things had not been done, if the Government had been kept in the hands of loyal men who would have used its powers to thwart the plans of traitors, instead of assisting them, this rebellion would have been nipped in the bud, and, what is most probable, would never have been attempted.

The responsibility, therefore, of not averting this war lies with those who helped the South to the control of the Government, and thus made this rebellion a *possibility*. That slavery was destined from the beginning to be overthrown admits of no question, but that it should go down in blood is the result of that mistaken policy which allowed it to accumulate power in its own hands until it deemed itself adequate to cope with the Government.

There is also another circumstance which ought not to be omitted in considering how this war might have been averted. With all the prejudice that existed in the minds of the Southern people occasioned by the agitation of slavery at the North—with all the fear existing of its final overthrow, and with all the preparations that had been made, it is doubtful whether the Southern leaders could have dragged their people into rebellion without assistance.

During the entire canvass which ended in the election of Mr. Lincoln, the most baseless and incendiary representations as to the objects and purposes of the Republican party were extensively circulated by many of the opposition journals of the North. The primary and immediate object of this was for electioneering purposes only, but its effect did not stop there. As these journals were the only Northern political newspapers allowed to circulate through the Southern States, they instilled into the minds of the people of those states false and mischievous notions of the intents and purposes of the triumphant party. They were thus led to believe, many of them, that the Republican party aimed at the overthrow of the domestic institutions of the Southern States—to reduce their people to an equality with the negro race, and do many other things in violation of their just rights. Jefferson Davis and Company were not slow in turning this misapprehension to account, and using it as a powerful argument to carry the masses with them in their projects of secession.

I submit, therefore, whether one practical mode of averting this war would not have been

to have spoken truthfully of the objects and aims of the Republican party.

Thus much for the assertion that this war ought to have been averted.

The next point I propose to notice is the charge made by the Governor that the Administration has abandoned the policy of waging this war for the sole purpose of restoring the Union and maintaining the Constitution. He says: "The central and western states enlisted warmly in a war for the Union and Constitution. The northern tier of slave states (except eastern Virginia) earnestly supported the Government in its policy while it was consistent with this purpose, which was known as the 'Border State policy.' Both the Administration and Congress then declared their sole purpose to be to restore the Union and maintain the Constitution. *When the Administration abandoned this policy* and took up the views of the extreme Northern States it lost, at the last election, nearly all the political support which the central and western states afforded in the elections of 1860 and 1861."

Mr. Chairman, I dissent from the statement here put forth. At no time has there been any pretension on the part of the Government that this war was to be waged for any other purpose than to restore the Union and preserve the Constitution. On the other hand, not the President alone, but the members of his cabinet, have taken especial pains not to be misunderstood on this subject, and have declared repeatedly that this was their only policy. But, says the Governor, not only has the Administration abandoned this original policy, but it has taken up the views of the extreme Northern States. We are again obliged to go a little outside to point the exact meaning of this passage, but the construction evidently intended is that the Administration has adopted the policy of waging this war for the abolition of Slavery.

The proof relied upon chiefly to sustain this assertion I suppose to be the Proclamation of Emancipation. Now, Sir, I deny that the adoption of this Proclamation implies any change of policy as to the purposes of the war. The President at the outset declared the intention of treating this slavery emancipation as entirely subordinate to the preservation of the Government. Long before the Proclamation was made Mr. Lincoln declared publicly that if he could best preserve the Union by preserving slavery he would preserve it, if best by destroying slavery he would destroy it, or if it would best promote that object by destroying a part of slavery, and preserving a part, he would do that. He thus solemnly announced to the country beforehand that it was his fixed intention if ever it became necessary in his judgment to lay his hand upon the institution of slavery to preserve the Union he should do so, and the whole country responded amen to these declarations. I am not aware that even the Democrats themselves at the time made any objection to these statements on the part of the President. They were hailed by men of all parties as evidencing the sincerity and earnestness

of the President in his endeavors to preserve the Union and the Constitution, and put down the rebellion, but when the President comes to do the very thing he thus forewarned the people he would do a clamor is raised that there has been a change of policy, and that the war has been perverted into a crusade for the abolition of slavery. I admit that this Proclamation involves a change of measures for carrying on the war, but I fail to see how in the slightest degree it involves a change of the *purposes* for which it is to be carried on.

This Proclamation may be wise or it may be unwise, but whether wise or unwise does not in the slightest affect the question of the *purpose* for which it was issued.

I propose briefly to notice some of the objections that have been urged against the wisdom of this Proclamation. The leading objection, and the one which seems chiefly urged, is that it is unconstitutional. I agree that in time of peace, when the whole country is submitting to and sustaining the Constitution, that this Proclamation would be unconstitutional.

The President, in his inaugural, asserted the same doctrine, and it was embodied in the platform upon which he was elected. I know of no one claiming differently unless it be that small knot of extreme men who have opposed the Republican just as earnestly as they have the Democratic party.

But would the Governor be understood as maintaining that the seceded states are still under the provisions of the Constitution, and entitled to be treated in accordance with all of its provisions? Does he maintain that every man found in arms against the Government should be tried and hung? Does he believe it would be the duty of the President to respond should the Governor of a seceded state call for help to suppress a domestic insurrection or repel a foreign enemy? Does he believe that we are now under constitutional obligations to return the slaves of South Carolina? Ought the Government to carry the mails for the seceded states, make appropriations for their forts or defend their frontiers? Ought the Secretary of War to allot them a portion of arms and other munitions of war belonging to the United States. Ought the Government to allow them free trade not only with foreign nations but among the different states? All these things unquestionably belong to the states under the Constitution in times of peace. I insist, however, that no such right exists now in the seceded states; and why? For the simple reason that they have placed themselves outside and beyond the provisions of the Constitution. They have invoked a civil war, and placed not only themselves but the General Government under the laws of war. They have rendered it impossible for any laws to be observed, save the laws of nations and the laws of war. The laws of war are, therefore, for the time being, *in the place of the Constitution*, and it is by them we are to determine what measures may be lawfully adopted towards these seceded states.

The Constitution makes the President Commander-in-Chief of the military arm of the Government, and by thus doing necessarily invests him with the full power of treating belligerents (as these states are now allowed to be) in any manner not interdicted by the laws of nations or the laws of war. I submit, therefore, that this objection of the Governor that the Proclamation is unconstitutional is founded upon the untenable presumption that these seceded states are entitled, whilst in a state of rebellion and civil war against the Government, to the same rights and immunities as in time of peace, and when loyal to the Constitution of the United States. This assumption is but the logical deduction of a theory the Governor has not yet thought proper to declare (as some of his friends have done), that there exists no right on the part of the General Government to coerce a seceded state; for if that right exists, it must carry with it the right to use such power as is necessary to give it effect, and if need be to call into exercise the rules and usages of war. I understand this Proclamation to be authorized by the laws of war, and to find its constitutional sanction in that clause which makes the President Commander-in-Chief of the army and navy of the United States.

Again. I am not aware that the enemies of this measure who are in favor of the war at all, find any fault with the Government for seizing grain, cattle, horses, clothing or property of any kind that may be found in the enemy's country, and necessary to our army. Nor is there any doubt expressed of the propriety of destroying any or all property to prevent its use by the Confederate army. All the Proclamation does is to take the South upon their own doctrine, and treat their slaves upon the theory that they are property. It seeks to deprive them of their slaves upon the same principle that it would destroy a flouring mill or a shoe factory that was turning out aid to their army. These slaves raise and prepare the food that feeds the southern armies; they manufacture to a large extent the clothing that covers them; they dig the trenches that protect them—and not unfrequently wield the arms that defend them. Why, Sir, the South themselves proclaim slavery to be the chief support of their military power. What, therefore, I ask, could be more justifiable by the rules of war, than to kick from under this rebellion the main pillar upon which it stands. It is also said that this Proclamation is impolitic, of doubtful expediency, and ought not to have been made for that reason. I confess, Sir, that for a long time I doubted the expediency of this measure. Not that I questioned the President's power or constitutional authority to make it, or that its theory was not perfectly proper; but I was aware that a vast prejudice in the North existed against it, and that politicians were likely to foster that prejudice for party purposes, and to influence the minds of the people by means of it against the Government. I feared, also, it might have a bad impression upon a portion of the army, and tend to create further divisions among its leaders, and that in various ways

results might grow out of it that would counteract its beneficial tendencies.

I was willing, however, to leave the matter where it properly belonged and trust it to the sound judgment of the President and his advisers, believing that they were better qualified to judge of the propriety of the measure than myself. I now believe that the truth of history will vindicate the wisdom of this measure, and that the future will only be surprised that any truly loyal man should have refused his support to the Government by reason of this Proclamation.

Whether, Mr. Chairman, this measure is wise or unwise, every man should stand by his Government, trusting that, should experiment show this Proclamation pernicious to the best interests of the country, no false notions of pride or consistency, on the part of the Administration, will prevent its abandonment.

Another reason urged against this measure is, that it unites the South and makes them a unit against us. As an original measure, in the outset, it might have had such an effect, and it was probably this consideration more than any other, that caused the President to hesitate before adopting it. I think, however, that at the time this Proclamation was put forth that objection had ceased to exist. Public sentiment in the slave states had become at that time, so crystallized, as to be almost incapable of further change against us. Men had taken their positions for or against the Government, and could not be shifted by any considerations of this character. What is still more important, the men who, to-day, are the most highly pleased with this Proclamation, are the unconditional loyal men of the slave states. It is true, there are those, in some of these states, professing to adhere to the old Government, who denounce it. I fear, however, that the greater portion of such men adhere, from motives of policy, rather than of loyalty, and would infinitely prefer the destruction of the Government to the overthrow of slavery.

For one, I am opposed to longer allowing a class of men to dictate the government of my country, who hold that Government in less esteem than they do the institution of slavery.

Gentlemen have also referred to the fact that but few men have been enlisted for our armies since this Proclamation was announced. I understand them to urge this as a proof of its disastrous effects. Nothing, Sir, could be more illogical than the conclusion they thus attempt to draw. The simple fact that one event succeeds another is no proof that they stand in the relation of cause and effect. Do not gentlemen know that the Proclamation was made at a time when enlistments had already been almost entirely suspended, when the counties throughout this state, as in other states, had exhausted their resources to fill their quotas and avoid the draft, and when the local bounties had been mostly, if not entirely, withdrawn? Do they not also know that about this same time the political campaign was commenced, and that hundreds of influential men, like the gentleman from New York, left off holding war meetings and en-

gaged in the political contest that was then being waged? How utterly unfair it is, Mr. Chairman, with these facts before us, to accuse this Proclamation as being the sole cause why enlistments were suspended, and what opinion are we to form of the objections to this Proclamation when its ablest opposers, in serious debate, are constrained to resort to such an argument as the one just referred to, in order to condemn it?

There are many other questions raised by this message, but I have already trespassed too far upon the patience of this committee.

A few words upon the subject of arbitrary arrests and I have done.

The expression of my views at any length would be only to repeat, in a far less able and effective manner, the arguments already advanced on this floor. I shall, therefore, give this subject but a passing notice.

Judging from this debate the chief question of difference is one of fact. I have heard no gentleman claim that the great law of necessity might not, under certain circumstances, justify these arrests, nor have I listened to any serious argument that the President, in great emergencies, might not suspend the *habeas corpus*. The argument has chiefly taken the direction of denying that such a state of facts have existed as would warrant the exercise of these powers.

Although fully believing that the right existed of making these arrests and suspending the writ, and although fully believing that the President exercised this right honestly, and for the good, as he intended, of the country, it is still an open question whether these arrests in the loyal states were wise. I do not question their wisdom for the reason that, in most instances, the persons arrested were not served right enough, but whether the feeling and excitement they have made has not occasioned more mischief than the persons arrested could have done if let alone, is a question which admits of serious doubt. I am not prepared, however, to say that when the world comes to know the evidence upon which these arrests were made, the expediency of making them will not be fully vindicated.

It is undoubtedly true that, in some instances, subordinates of the Government have abused the powers conferred upon them, and by thus doing, innocent persons have been made to suffer. To this I have only to remark that the best and wisest of men are not unfrequently deceived as to the capacity and honesty of their agents, and if the President or members of his cabinet have

thus been deceived, it ought not to excite our surprise, much less our condemnation.

One single word more, Mr. Chairman, before I sit down. The question has been raised here, and I regard it as the real practical question of the hour, shall this Government be preserved? I answer most emphatically, yes, and if there is any virtue in the American people worth preserving, *it will be*.

The problem now being solved is not the abstract idea of man's capacity for self-government, but whether the people of this country are capable now, in the present tense, of sustaining a democratic form of government, to put it in another form—whether we have become so corrupt and degenerate as to render the loss of our National life inevitable.

This cannot be foretold by outside appearances, which often, for the time being, are utterly deceptive. As we look upon the conduct of presidents and cabinets—as we view the contests of armies and navies we behold only the surface of events.

We look at the ocean and behold it tossed with winds and surging with waves, and are impressed with the instability that there exists. But if we could go down beneath those angry billows we should there find vast currents, uniform and steady in their motion, traversing in accustomed paths around the world, and shedding in their resistless flow those very influences that create the winds and waves.

So it is with human society. It is necessary to go beneath the surface to ascertain the moving cause of its outward commotions. Whoever studies our present unhappy agitations in this manner, cannot fail to discern that, underlying this whole struggle, is an "irrepressible conflict" of principles and ideas which has, at last, worked itself out to the surface of our affairs and raised the troubles and commotions of civil war. It will form an exception on history's page if the *just*, the *intelligent* and the *virtuous* do not prevail.

To secure this end let all the friends of our Government rally to its support. Let party strife be laid aside, and the only watch cry be "*Our country must and shall be preserved.*"

Let this be done and our distracted and bleeding country will yet be saved. Again will the voice of peace re-echo in our land, and the flag of our Union, without the loss of a star, will once more proudly wave over a united, a powerful and a happy people.